United States District Court

For the Northern District of California

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5   IN THE UNITED STATES DISTRICT COURT

6   FOR THE NORTHERN DISTRICT OF CALIFORNIA

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8 NSIGHT, INC.,   No. C 04-3836 MMC (MEJ)

9   Plaintiff,   **ORDER DENYING OBJECTION TO**
   v.   **MAGISTRATE JUDGE'S ORDER**
10   **GRANTING DEFENDANT'S MOTION TO**
   PEOPLESOFT, INC.,   **COMPEL AND, IN THE ALTERNATIVE,**
11   **ADOPTING MAGISTRATE JUDGE'S**
              Defendant   **ORDER**
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       Before the Court is plaintiff's objection, filed May 12, 2006, to Magistrate Judge

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   Maria Elena James' Order Granting Defendant's Motion to Compel Responses to
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   Document Requests, Interrogatories, and to Produce Witness for Deposition. Specifically,
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   plaintiff objects to the ruling that Oracle USA, Inc. ("Oracle USA") may propound discovery
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   requests without Oracle USA's having filed a motion to substitute as the successor in
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   interest to PeopleSoft, Inc.
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       Having fully considered the matter, the Court hereby DENIES the objection for the
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   reason plaintiff has failed to show the subject order is clearly erroneous or contrary to law.
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   See 28 U.S.C. § 636(b)(1)(A) (providing district court may reconsider magistrate's order
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   where it has been shown to be clearly erroneous or contrary to law). In the alternative, in
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   the event the challenged order could, as plaintiff argues, be considered dispositive in
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   nature, the Court has considered the matter de novo and hereby ADOPTS the order in its
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   entirety.
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       IT IS SO ORDERED.
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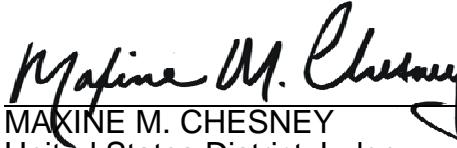
28 Dated: May 18, 2006   _____
                                           MAXINE M. CHESNEY
                                           United States District Judge